

DEP & REF  
Room 807



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE MAR -9 PM 12:42

Atty. Docket: WALLACH=16A

In re Application of:	)	Conf. No.: 2547
David WALLACH et al	)	Art Unit: 1642
Appln. No.: 09/824,134	)	Examiner: M. Davis
Filed: April 3, 2001	)	Washington, D.C.
For: MODULATORS OF THE	)	March 7, 2005
FUNCTION OF FAS/AP01	)	
RECEPTORS	)	

REQUEST FOR REFUND

Honorable Commissioner for Patents  
U.S. Patent and Trademark Office  
Randolph Building, Mail Stop 16 (Refunds)  
401 Dulany Street  
Alexandria, VA 22314

Sir:

On June 4, 2004, applicants filed a Notice of Appeal and paid the required fee of \$330.00. On December 6, 2004, applicants filed an appeal brief. The required fee of \$340.00 for the Appeal Brief was charged to the deposit account of the undersigned on December 15, 2004. Subsequently, the examiner withdrew the finality of the official action of March 4, 2004, and indicated that this case is in condition for allowance. The examiner has stated that applicant could request a refund of the appeal fee in this circumstance. Accordingly, it is hereby requested that the fee for filing a Notice of Appeal and the fee for filing the Appeal Brief be refunded.

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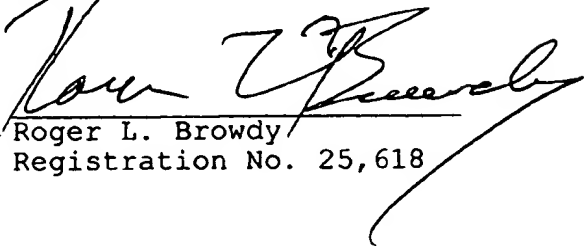
In re of Appln. No. 09/824,134

The undersigned hereby requests that the refund due in the amount of (\$670.00) be credited to deposit account no. 02-4035 rather than being refunded by check.

Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.  
Attorneys for Applicant(s)

By



Roger L. Browdy  
Registration No. 25,618

RLB:rd

Telephone No.: (202) 628-5197

Facsimile No.: (202) 737-3528

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: WALLACH=16A

In re Application of:

David WALLACH et al

Appln. No.: 09/824,134

Filed: April 3, 2001

For: MODULATORS OF THE FUNCTION OF  
FAS/AP01

Conf. No.: 2547

Art Unit: 1642

Examiner: M. Davis

Washington, D.C.

June 4, 2004

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Honorable Commissioner for Patents  
U.S. Patent and Trademark Office  
2011 South Clark Place  
Customer Window, Mail Stop AF  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the final rejection (or the rejection of claims for at least the second time), dated March 4, 2004, of the Primary Examiner. The claims appealed are claims 1-7, 11 and 14.

The item(s) checked below are appropriate:

☐ Small Entity Status: Applicant(s) claim small entity status. See 37 CFR 1.27.

☒ The fee has been calculated as shown below:

☒ \$330.00

☐ \$165.00 (small entity)

☐ Not required (fee paid in prior appeal)

☐ Applicant hereby petitions for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity  
Response Filed Within

☐ First - \$ 55.00  
☐ Second - \$210.00  
☐ Third - \$475.00  
☐ Fourth - \$740.00

month after time period set

Other Than Small Entity  
Response Filed Within

☐ First - \$ 110.00  
☐ Second - \$ 420.00  
☐ Third - \$ 950.00  
☐ Fourth - \$1480.00

month after time period set

☐ Less fees (\$ ) already paid for months extension of time on .

☐ A check in the amount of \$ is attached. (Check No. )

☒ Credit Card Payment Form, PTO-2038, is attached, authorizing the amount of \$ 330.00

☒ Please charge any deficit in the fee paid herewith to my Deposit Account No. 02-4035.

06/07/2004 EAREGAY1 00000012 09824134

01 FC:1401

330.00 DP

Respectfully submitted,  
BROWDY AND NEIMARK, P.L.L.C.  
Attorneys for Applicant(s)

By:

Roger L. Browdy  
Registration No. 25,618

Telephone No.: (202) 628-5197  
Facsimile No.: (202) 737-3528

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Adjustment date: 04/13/2005 SDTRETAT  
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Refund Ref: 0030021118  
04/13/2005

Credit Card Refund Total: \$330.00

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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David WALLACH et al

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Adjustment date: 04/13/2005  
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